1633

PTO/SB/21 (08-03) Approved for use through 08/30/2003. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number Application Number 09/844.705 TRANSMITTAL Filing Date April 27, 2001 **FORM** First Named Inventor Bosworth, Brad T. Art Unit 1633 (to be used for all correspondence after initial filing) <u>NOV 0 5 2003</u> **Examiner Name** Woitach, Joseph, T. Attorney Docket Number TECH CENTER 1600/2900 21419-91512 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance communication Fee Transmittal Form Drawing(s) to Technology Center (TC) Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to TC Petition (Appeal Notice, Brief, Reply Brief) Amendment/Reply Petition to Convert to a Proprietary Information **Provisional Application** After Final Power of Attorney, Revocation Status Letter Affidavits/declaration(s) Change of Correspondence Address Other Enclosure(s) (please Terminal Disclaimer **Extension of Time Request** Identify below): Request for Refund **Express Abandonment Request** CD, Number of CD(s) Information Disclosure Statement Remarks Certified Copy of Priority Document(s) PTO FORM 1449 (15sheet) Information Disclosure Statement Mailed Response to Missing Parts/ November 6, 2001 (4 sheets) Incomplete Application 17 Publications Cited; A copy of original Postcard Response to Missing Parts Return Postcard under 37 CFR 1.52 or 1.53 *Commissioner authorized to charge any fees due Barnes & Thornburg Deposit Account No. 12-091 SIGNATURE OF APPLICANT, ATTÖRNEY, OR AGENT Firm Alice O. Martin Individual name Signature Date **CERTIFICATE OF TRANSMISSION/MAILING** I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Typed or printed name Alice O. Martin Date Signature This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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NOV 0 5 2003

2600 Chase Plaza 10 South LaSalle Street Chicago, IL 60603

TECH CENTER 1600/2900

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit:

1633

Attorney

Docket:

21419-91512

Applicant:

Bosworth & Vögeli

Invention: METHODS AND COMPOSITIONS TO

IDENTIFY SWINE GENETICALLY RESISTANT TO F18 E. COLI ASSOCIATED DISEASES

Serial No:

09/844,705

Filed:

April 27, 2001

Examiner:

N/A

Certificate Under 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231

on November 6, 2001

Alice O. Martin

Dated:

16/2001

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

This statement is filed in the application identified above pursuant to 37 C.F.R. § 1.56. No representation is intended that a complete search has been made of relevant publications or that no more relevant publications than listed below are available. A copy of each publication is not provided pursuant to 37 C.F.R. 1.98(d) as they were previously submitted to the Office on February 22, 2001 for U.S. Ser. No. 09/443,766 and relied upon for this application. The filing of this Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in § 1.56(b).

Attorney Docket No.: 21419-91512

PUBLICATIONS

U.S. PATENTS

Patent No.	Issue Date	Inventor		
5,358,649	October 25, 1994	MacLennan, et al.		
5,552,144	September 3, 1996	Samuel, et al.		
5,625,124	April 29, 1997	Falk, et al.		

FOREIGN PATENTS

Publication No.	Publication Date	Country		
WO 86/04604	August 14, 1986	PCT (DENMARK)		
WO 94/13811	June 23, 1994	PCT (EUROPE)		
WO 96/28967	September 26, 1996	PCT (JAPAN)		

Abstract: The hyperacute rejection occurring in the transplantation of tissues of a non-primatal mammal into a higher primate can be mitigated by transferring foreign genes of a higher primate, which express a sugar transferase, into a non-primatal mammal so as to express sugar-chain antigens of the higher primate.

OTHER REFERENCES

- BOSWORTH, B.T., et al. (1996) "Vaccination With Genetically Modified Shiga-Like Toxin Iie Prevents Edema Disease in Swine." Infect and Immun 64(1): 55-60.
- COHNEY, S., et al. (1996) "Molecular Cloning of the Gene Coding for Pig $\alpha 1 \rightarrow 2$ fucosyltransferase." Immunogenet 40: 76-79.
- DEVEREUX, J., et al. (1984) "A Comprehensive Set of Sequence Analysis Programs for the VAX." Nucl Acids Res 12(1): 387-395.
- FUJIL, J., et al. (1991) "Identification of a Mutation in Porcine Ryanodine Receptor Associated with Malignant Hyperthermia." Science 253: 448-451.
- GAFFNEY, R.A., et al. (1994) "Effect of Lewis Blood Group Antigen Expression on Bacterial Adherence to COS-1 Cells." Infect and Immun 62(7): 3022-3026.

INFORMATION DISCLOSURE STATEMENT (October 27, 1998)

- KELLY, R.J., et al. (1994) "Molecular Basis for H Blood Group Deficiency in Bombay (O_h) and Para-Bombay Individuals." Proc Natl Acad Sci 91: 5843-5847.
- MEIJERINK, E., et al. (1997) "Two α(1,2) fucosyltransferase Genes on Porcine Chromosome 6q11 are Closely Linked to the Blood Group Inhibitor (S) and Escherichia coli F18 Receptor (ECF18R) Loci." Mammal Genome 8: 736-741.
- NAGY, B., et al. (1992) "Susceptibility of Porcine Intestine to Pilus-Mediated Adhesion by Some Isolates of Piliated Enterotoxigenic Escherichia coli Increases with Age." Infect and Immun 60(4): 1285-1294.
- VÖGELI, P., et al. (1996) "Genes Specifying Receptors for F18 Fimbriated Escherichia coli, Causing Oedema Disease and Postweaning Diarrhoea in Pigs, Map to Chromosome 6." Schweiz Arch Tierheilk 139(11): 479-484.
- VÖGELI, P., et al. (1997) "Ein Molekular Test für den Nachweis des E.-coli-F18-Rezeptors:ein Durchbruch im Kampf gegen Öedemkrankheit und Absetzdurchfall beim Schwein." Schweiz Arch Tierheilk 139(11): 479-484.

Abstract: Oedema disease and post-weaning diarrhoea in swine are associated with the colonization of the intestine with toxigenic Escherichia (E.) Coli bacteria of various serotypes. Colonization depends on specific binding between adhesive fimbriae and receptors on the enterocytes. The demonstration of these receptors allows the identification of susceptible and resistant pigs. Direct sequencing of the $\alpha(1,2)$ fucosyltransferase gene (FUTI) in swine being either susceptible or resistant to adhesion by F18 fimbriated E. coli revealed a mutation at basepair 307 (M307). Analysis of the mutation in Swiss Landrace and Large White families showed close linkage with the locus controlling resistance and susceptibility to E. coli F18 adhesion (ECF 18R). The FUT1(M307) mutation is a good marker for selection of E. coli of F18 fadhesion resistant animals. The mutation is found with variable frequencies in Duroc, Hampshire and Pietrain pigs as well.

None of the above-cited publications are believed to disclose or suggest the invention recited in the claims of the above-identified application or the priority date of the application is before the publication date. It is therefore believed that the claimed invention is patentably distinguishable over these publications.

Attorney Docket No.: 21419-91512

Please charge any fees that might be due in connection with this Information Disclosure Statement to our Deposit Account No. 10-0435.

Respectfully submitted,

BARNES & THORNBURG

Alice O. Martin

Attorney Registration No. 35,601

BARNES & THORNBURG 2600 Chase Plaza 10 South LaSalle Street Chicago, Illinois 60603 (312) 357-1313 November 6, 2001

Applicant: Brad Bosworth and Peter Vogeli
Filing Date: April 27, 2001
Serial No.: 09/844,705
Attorney Docket No.: 21419/91512
Title: METHODS AND COMPOSITIONS TO
IDENTIFY SWINE GENETICALLY RESISTANT TO
F18 E. COLI ASSOCIATED DISEASES

The following was sent to United States Patent and Trademark Office:

Information Disclosure Statement

Mailed via Regular Mail on November 6, 2001

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U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTY, DOCKET NO. 21419-91512

SERIAL No. 09/844,705

MATION DISCLOSURE STATEMENT

APPLICANTS Bosworth & Vögeli

FILING DATE April 27, 2001

GROUP 1633

U.S. PATENT DOCUMENTS										
Examiner initial		Document Number	Date	. Name	Class	Subclass	Filing Date if Appropriate			
	AA	5,358,649	Oct. 25, 1994	MacLennan, et al.	435	6	Dec. 20, 1991			
	AB	5,552,144	Sep. 3, 1996	Samuel, et al.	424	236.1	Jan. 10, 1994			
	AC	5,625,124	Apr. 29, 1997	Falk, et al.	800	2	Jul. 11, 1994			
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		Document Number	Date	Country	Class	Subclass	Translation Yes No :			
	AL.	WO 86/04604	Aug. 14, 1986	PCT(DENMARK)			X			
	AM	WO 94/13811	Jun. 23, 1994	PCT(ÈUROPE)			х .			
	AN	WO 96/28967	Sep. 26, 1996	PCT(JAPAN)	,		X			
	AO					·····				
	AP									
	<u> </u>		-	g Author, Title, Date, Pertinent						
	AR	BOSWORTH, B.T., et al. (1996) "Vaccination With Genetically Modified Shiga-Like Toxin lie Prevents Edema Disease In Swine." Inject and Immun 64(1): 55-60.								
	AS	COHNEY, S., et al. (1996) "Molecular Cloning of the Gene Coding for Pig α1→2 fucosyltransferase." Immunogenet 40:								
	AT	DEVEREUX J., et al. (1984) "A Comprehensive Set of Sequence Analysis Programs for the VAX." Nucl Acids Res 12(1): 387-395.								
	ΑU	FUIIL I., et al. (1991) "Identification of a Mutation in Porcine Ryanodine Receptor Associated with Malignant Hyperthermia." Science 253: 448-451.								
	AV	GAFFNEY, R.A., et al. (1994) "Effect of Lewis Blood Group Antigen Expression on Bacterial Adherence to COS-1 Cells." Infect and Immun 62(7): 3022-3026.								
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Examiner Date Considered										
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